

REMARKS

By this amendment, Applicants have amended claims 1, 6, 12, and 19. As a result, claims 1-20 remain pending in this application. These amendments are being made to facilitate early allowance of the presently claimed subject matter. Applicants do not acquiesce in the correctness of the objections and rejections and reserve the right to pursue the full scope of the subject matter of the original claims, or claims that are potentially broader in scope, in the current and/or a related patent application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, the Office rejects claims 1-14, 16, and 19-20 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,185,613 (Lawson). In order to maintain a proper rejection under 35 U.S.C. § 102(e), the Office must show that a single reference discloses each feature of the claimed invention. Applicants submit that the Office fails to show that Lawson discloses every feature of the claimed invention.

For example, with respect to independent claim 1, the Office fails, *inter alia*, to show that Lawson discloses processing an event using any one of a plurality of event servers, in which the processing includes publishing the event and starting and committing a transaction for processing the event. In support of its rejection, the Office cites Lawson, col. 18, lines 12-28 as allegedly disclosing publishing the event as in claim 1. In particular, the Office equates “sending events to event consumers” to the publishing of claim 1. However, Applicants note that in Lawson, each server only needs to know which servers need notification of which events. Subsequently, individual servers are responsible for notifying their local event consumers. See, e.g., Lawson,

col. 9, lines 2-9; FIGS. 1 and 2. To this extent, in FIG. 1 of Lawson, server B is the only server of servers A-D that can notify event consumers 3-4 of events.

In sharp contrast, the invention of claim 1 provides a plurality of event servers, each of which is capable of publishing the event for all interested event consumers. Further, any one of the servers is used to process the event, in which the processing includes publishing the event. In this manner, the plurality of servers provide an environment that is both highly reliable and readily scalable. As a result, contrary to the teachings of Lawson, the claimed invention utilizes a plurality of event servers, each of which can publish an event for all interested event consumers, not just the local event consumers as in Lawson.

With further respect to claim 1, the Office fails to show that Lawson discloses that its processing includes starting a transaction and committing the transaction after the event is published. In support of its rejection, the Office cites Lawson, col. 12, lines 19-38 as allegedly disclosing starting a transaction and Lawson, col. 18, lines 29-65 as allegedly disclosing committing the transaction. As is known in the art, a transaction can be utilized to allow partially processed events to be rolled back. When one or more processes fail for an event, then the completed processes of the partially processed event can be rolled back, thereby preserving the integrity of the data. Applicants note that neither of the portions of Lawson cited by the Office relate at all to transactions, and committing transactions. As a result, should the Office maintain its interpretation of Lawson, Applicants respectfully request that the Office clarify how it has interpreted the claimed starting a transaction and committing a transaction, and how it has interpreted the corresponding text in Lawson to allegedly disclose each of these features of claim 1.

In light of the above stated reasons, either alone or in combination, Applicants respectfully request withdrawal of the rejection of claim 1 and claims 2-5, which depend therefrom, as allegedly being anticipated by Lawson.

With respect to independent claim 6, the Office fails, *inter alia*, to show that Lawson discloses processing an event using any one of a plurality of stateless event servers, each stateless event server being capable of processing the event without storing state information on the processing. In support of its rejection, the Office cites Lawson, col. 12, lines 19-38. However, Applicants note that this portion of Lawson does not include any discussion with respect to the use of any one of a plurality of stateless event servers. Rather, this portion of Lawson addresses assigning events to different queues based on information in the events. Further, as discussed above, Lawson's servers each implement their own functionality (e.g., notifying local event consumers of events). To this extent, an event in Lawson cannot be processed using any one of a plurality of stateless event servers, since the particular event server having a local event consumer must process the event. As a result, Applicants respectfully request withdrawal of the rejection of claim 6 and claims 7-11, which depend therefrom, as allegedly being anticipated by Lawson. In the alternative, should the Office maintain its interpretation of Lawson, Applicants respectfully request that the Office clarify how it is interpreting the claim terms "stateless event servers" and "any of a plurality" as well as the teachings of the cited portion of Lawson, which allegedly disclose these features of claim 6.

With respect to independent claim 12, Applicants note that claim 12 includes similar features as those discussed above with respect to claim 6. To this extent, Applicants incorporate the arguments presented above with respect to claim 6. As a result, Applicants respectfully

request withdrawal of the rejection of claim 12 and claims 13-14 and 16, which depend therefrom, as allegedly being anticipated by Lawson.

With respect to independent claim 19, Applicants note that claim 19 includes similar features as those discussed above with respect to claim 1. To this extent, Applicants incorporate the arguments presented above with respect to claim 1. As a result, Applicants respectfully request withdrawal of the rejection of claim 19 and claim 20, which depends therefrom, as allegedly being anticipated by Lawson.

Further, the Office rejects claims 15 and 17-18 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lawson in view of U.S. Patent Publication No. 2004/0068568 (Griffin). Applicants incorporate the arguments presented above with respect to claim 12, from which each of these claims depends. Further, Applicants submit that Griffin fails to cure these deficiencies of Lawson. As a result, Applicants respectfully request withdrawal of the rejections of claims 15 and 17-18 as allegedly being unpatentable over Lawson in view of Griffin.

Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary and/or in a related patent application, either of which may seek to obtain protection for claims of a potentially broader scope.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

/John LaBatt/

John W. LaBatt, Reg. No. 48,301
Hoffman, Warnick & D'Alessandro LLC
75 State Street, 14th Floor
Albany, NY 12207
(518) 449-0044 - Telephone
(518) 449-0047 - Facsimile

Dated: 31 October 2007